

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

James I. Scarpo,)	C/A No.: 1-22-2805-SAL-SVH
)	
Plaintiff,)	
)	
v.)	
)	ORDER
Brian Sterling; Dennis Patterson;)	
Charles Williams,)	
)	
Defendant.)	
)	

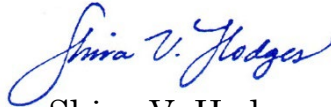
Plaintiff filed this matter on August 22, 2022. On February 13, 2023, Defendants filed a motion for summary judgment. [ECF No. 68]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motion and of the need for him to file an adequate response by March 16, 2023. [ECF No. 69]. Plaintiff was specifically advised that if he failed to respond adequately, the motion may be granted.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon his claims against Baldwin. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to the motion by April 3, 2023. Plaintiff is further advised that if he

fails to respond, the undersigned will recommend Baldwin be dismissed for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

March 20, 2023
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge